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Notice of Allowability

Application No.

10/658,231

Applicant(s)

DIK, CASPER H. S.

Examiner

Samson B. Lemma

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/07/2008.
2. ☒ The allowed claim(s) is/are 9-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This is in reply to amendment after non-final office action, filed on **January 07, 2008**. **Claims 1-8 are canceled. Thus claims 9-45 are pending/examined of which claims 9, 22 and 35 are independent claims.**
2. Applicant successfully overcomes the 35 USC § 101 rejection (claims 9-21 and 35-45) set forth in the pervious office action. (See for instance the amended independent claims 9 and 35). Thus the § 101 rejection is withdrawn.

Allowable Subject Matter

3. **Claims 9-45** are allowed.
4. The following is an examiner's statement of reasons for allowance:
Except for the 101 rejections, claims 9-45 were previously allowed. Applicant's representative successfully overcomes the 101-rejection set forth in the previous office action. (See for instance the amended independent claims 9 and 35)

Tucker the reference on the record discloses each and every limitation recited in the pervious claims 1-8.

For instance referring to the canceled independent claim 1,

Tuker the reference on the record, discloses a privilege model interfacing with a kernel process [abstract] and implementing a framework in which super-user based processes of a plurality of processes and privilege based processes of said plurality of processes [paragraph 0049, 0053 and Figure 2b, ref. Num "100"] **transparently interface with said kernel process** [Figure 2b, ref. Num "150"]. *(The following paragraphs, which meet the limitation of the claims, are shown here. For instance on the abstract the following has been disclosed on the abstract, "the present invention provides techniques for managing*

activities of processes using **a fine grained privilege model in an operating system environment partitioned into a global zone and one or more non-global zones** for isolating processes from processes executing in association with other non-global zones under **control of a single operating kernel instance.**"

Furthermore on paragraph 0049, the following has been disclosed. "In one embodiment, the operating system environment 100 may evaluate one or more of whether user identifier UID A1 245-1(a) and user identifier UID A2 245-2(a) are the same, **whether user identifier UID A2 245-2(a) is a special privileged user identifier, such as a super-user** for example, or whether process A1 174-1(a) is in possession of a privilege enabling it to take control of processes belonging to other user identifiers, such as PRIV_PROC_OWNER for example, in determining whether to grant the request by process A1 174-1(a). For example, if user identifier UID A1 245-1(a) and user identifier UID A2 245-2(a) are equivalent, or if process A1 174-1(a) is in possession of a PRIV_PROC_OWNER privilege, then the request by process A1 174-1(a) to obtain control over target process A2 174-2(a) will be granted if process A1 174-1(a) has at least as many privileges as possessed by target process A2 174-2(a). And finally paragraph 0053, further discloses the following. "in order to determine whether to grant the request to change that process' association from user identifier UID A1 245-1(a) to user identifier UID A2 245-2(a) based upon one or more criteria. In one embodiment, a process of the **operating system environment 100 may determine one or more of whether user identifier UID A2 245-2(a) is a special privileged user identifier, such as a super-user** for example, or whether process A1 174-1(a) is in possession of a privilege enabling it to take control of processes belonging to other user identifiers, such as PRIV_PROC_SETID")

and 3rd paragraph, under the title "A result of skinner and Wiles]

- **However a careful review of the limitations recited in the respective independent claims 9, 22 and 35 reveals that the detail of the limitation** are not explicitly suggested by the reference on the record, namely **by Tucker**.

None of the prior art of record taken singularly or in combination teaches or suggests a distinct computer method/system for processing privileges recited in the above independent claims. The examiner asserts that the limitation recited on the respective independent claims **9, 22 and 35** are found to be novel.

For the reasons provided above, independent claims **9, 22 and 35** are allowed.

5. **The dependent claims which are dependent on the independent claims 9, 22 and 35** being further limiting to the independent claims, definite and enabled by the specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

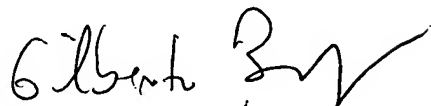
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am --4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA
S.L.
01/30/2008


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